

## **REMARKS**

The Office Action dated October 17, 2007 has been fully considered by the Applicant.

Claims 1, 6, 7, 9 and 10 are currently amended. Claims 2-5 are as originally filed. Claims 11- 18 and 20 have been canceled. Claims 8 and 19 have been previously presented.

Enclosed is a Petition For Three-Month Extension of Time and a check in the amount of \$1050 to cover the cost of the fee.

Claims 1, 7, 9 and 10 have been objected to because of informalities. Each of these claims have been currently amended to correct the informalities. Applicant gratefully appreciates Examiner Wong's thorough review of the claims.

Claims 1-5 have been rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "to select the same" in claim 1 was found to be unclear and indefinite. Applicant believes that currently amended claim 1 overcomes the rejection and, therefore, respectfully requests reconsideration of the rejection.

Claims 1-10, 19 have been rejected under 35 USC 102(e) as being anticipated by United States Patent No. 7,171,647 to Smith et al. Examiner Wong has requested that Applicant provide a showing that the present application and the '647 Smith et al patent are invented by the same inventor or are commonly owned. Applicant respectfully requests reconsideration of the rejection.

Enclosed is a fully executed Declaration Of Common Inventor Under 37 CFR §1.131. Applicant believes that this Declaration properly shows that United States Patent No. 7,171,647 was derived from the same inventor as the present application and therefore overcomes the 102(e) rejection. The inventor's declaration confirms that he co-invented or invented the subject matter

disclosed in the issued U.S. Patent No. 7,171,647 and relied on in the rejection in the outstanding Office Action. Additionally, the issued U.S. Patent was commonly owned at the time of the invention set forth in the pending application.

In addition, Applicant has currently amended independent claim 1 to include a method for creating a process-driven knowledge activation system relating to the process of a defined organization, comprising the following steps: (a) creating a process model comprising one or more elements; (b) associating at selected points within processes in said process model a collection of symbols representing resources that will be required by a user to be effective; (c) auditing and tracing the usage of said symbols across the process model through a mechanism of dependency analysis within a modeling tool; (d) mapping said symbols associated with the process that requires them to access electronically-stored knowledge resources; (e) generating a process-driven knowledge activation system comprising said one or more symbols or textual representation of said symbols, wherein said symbols are associated with said processes, wherein said processes are linked to said knowledge resources; (f) by the user clicking on a process, said system reveals to the user, through a graphical user interface, the associated required knowledge resource symbols or textual representation of said symbols for that process, the appropriate resource then being presented to the user on the click of said symbols or textual representation of said symbols; (g) repeating periodically the above steps in a review cycle in which the process models and resources of the process driven knowledge activation system are revised and re-published; and (h) the knowledge resources are specific to and created by the users and other persons within the organization as the organization delivers said processes, and said knowledge resources are stored in an accessible electronic storage to represent a distributed, evolving body of knowledge generated by and relevant to the defined

organization, and, from which, the knowledge resources can be selectively retrieved and accessed by the user of the system.

The '647 Smith et al patent provides for a system for modeling in which the modeler has a range of browser compatible resources available to them to use. These browser compatible resources are developed by a development team (see Col 4, lines 11-14) with respect to what resources the team believe to be required by the business. This process can be repeated periodically but, at each time, the repeat is made with respect to reference to new resources which may have been developed by the development team. This overall process is described in Col. 4, lines, 5-26 in the '647 patent. A similar system is also described in the non-patent Press Release citation.

Acknowledgment is made in Applicant's application that it is known to generate process models with reference to resources which are made available by a development team. However, Applicant also identifies in the current application that this known form of modeling is limited and, indeed, flawed due to the inability of the modeler to incorporate and utilize components or resources which allow the created model to be more informed and, hence, more relevant and useful to the specific organization for which the model is being created.

Applicant's current invention allows the generation of a model which is specific not only to a particular field, such as the healthcare process, but is also specific to a particular organization operating within that field by referring to the knowledge resources which are generated by the activities of that organization rather than resources which are developed by a development team remote from an organization. The '647 Smith et al patent allows the generation of a generic model which is specific to a particular field, i.e., a healthcare process, and not specific to an organization or business operating in that field so that in practice every organization in the same field would have

the same model, which would not be an accurate reflection of each organization's activities and operations.

Furthermore, the periodic updating of the model is made with regard to changes in the knowledge resources that have occurred and therefore reflect the changes that have occurred in the organization

Applicant's invention represents a significant advantage and step forward in that the model is more relevant to an organization and as a result can be utilized more usefully by that organization.

Applicant has achieved this advantage by identifying that instead of or in addition to the development team generated resources, the set of resources known as "knowledge resources" can be used. As set out in Applicant's specification, the knowledge resources are those features which represent the knowledge of an organization that distinguishes its delivery of a process from another organization's delivery of the same process.

In accordance with Applicant's invention these knowledge resources are all organized and stored in a knowledge center, and the invention allows the knowledge resources to be mapped to knowledge resource symbols via which the user of the model can access one or more of the knowledge resource by selecting an appropriate symbol.

Thus, there is no disclosure in the prior art of the user of knowledge resources as part of a modeling tool. The knowledge resources are generated through the actual activities of an organization and are therefore specific to that organization. In the prior art, the resources which are available are specific to a particular field in which an organization operates and are therefore generic. Furthermore, the prior art does not suggest generation of a knowledge center in the form of electronic storage into which the details of the knowledge resources are stored and from which the specific

knowledge resources can be retrieved and accessed as and when a knowledge resource symbol is selected from the model in accordance with the present invention.

Applicant believes that the subject matter in currently amended independent claim 1 along with dependent claims 2-5, is not disclosed in the Smith et al '647 patent and, therefore, respectfully requests reconsideration of the rejection.

Independent claim 6 has been currently amended to include a method for creating a process-driven knowledge activation system relating to the process of a defined organization, said method comprising the following steps: (a) creating a process model of a system comprising one or more elements being part of a general purpose graphical business model, said model being accessible via a web browser; (b) associating at selected points within processes in said model a collection of symbols representing resources that will be required by a user to be effective; (c) auditing and tracing the usage of said symbols across the process model through a mechanism of dependency analysis within a modeling tool; (d) mapping said symbols to electronic knowledge resources stored in a file store; (e) generating a process-driven knowledge activation system comprising said one or more symbols or textual representation of said symbols associated with said processes linked to said knowledge resources; (f) said system revealing to the user, on clicking on a process, the associated knowledge resource symbols, the appropriate resource then being presented to the user on the click of said symbols or links; (g) repeating periodically the above steps in a review cycle in which the process models and resources of the process driven knowledge activation system are revised and re-published; and (h) said knowledge resources are defined and developed with respect to the delivery of said processes by the users and other personnel of the organization and are related specifically to that organization and said knowledge resources are stored in an accessible electronic storage to

represent a distributed, evolving body of knowledge generated by and retrieved and accessed by the user of the system.

Applicant believes that the subject matter of currently amended independent claim 6, along dependent claims 7-10, 19, is not disclosed the Smith et al '647 patent and, therefore, respectfully requests reconsideration of the rejection.

Claims 1-10, 19 have been rejected under 35 USC 102(b) as being anticipated by an online press release article entitled "Powerful Business Transformation Partnership Enabling Sustainable Growth in E-business" (herein referred to as Press Release).

Independent claims 1 and 6 have been currently amended to include the step of the knowledge resources being stored in an accessible electronic storage to represent a distributed, evolving body of knowledge generated by and relevant to the defined organization, and, from which, the knowledge resources can be selectively retrieved and accessed by the user of the system.

Applicant believes that the claims as currently amended are not disclosed in the Press Release and, therefore, respectfully requests reconsideration of the rejection.

As Applicant set forth above, The Mood process model product or system disclosed in the Smith et al '647 patent relates to the provision of tools which are created by developers with reference to the field of activity of an organization rather than, as in the current invention, creating tools based on the actual activities of the organization which allows the knowledge resources of the current invention to be developed, used and referred to by the process model, and change in accordance with changes in the activities of the organization. Clearly, it can be seen that these features are not disclosed in the '647 Smith et al patent or in the Press Release.

Examiner Wong suggested in the previous Office Action that the very disclosure of the product name MooD in the Press Release was anticipation of Applicant's current invention and was in line with the disclosure in the Smith et al '647 patent. It appears that the Examiner does not rely on the Press Release for anything else. Applicant respectfully disagrees with the Examiner's assumption that the Press Release, by disclosing the MooD product, is relevant to the current application. The MooD product is in fact only relevant to the system described in the Smith et al '647 patent.

The Press Release refers to a combination of two products: a modeling tool product referred to as "MooD" and an animating tool called "Witness". The aim of the Press Release is to publicize the advantages which can be obtained by combining these two products. Various claims are made in the Press Release, the main one being that the combination of the two products allows a model developer to develop a process model for an organization using MooD and then to rapidly develop a simulation model from the process model which has been generated. There is no suggestion that anything different happens when using the MooD product itself: it is simply the provision of the Witness product at the end which allows the additional function to be achieved. Therefore, we can assume that the MooD product is the standard form of the product as described in the Smith et al '647 patent.

In addition, the Press Release does not disclose whether the context for knowledge and information services is provided in the MooD product or in the Witness product.

Further, the Press Release does not disclose how the knowledge resources are mapped to the symbols and the storage of all of the knowledge resources in an electronic store for selective retrieval upon a user request as in Applicant's current invention.

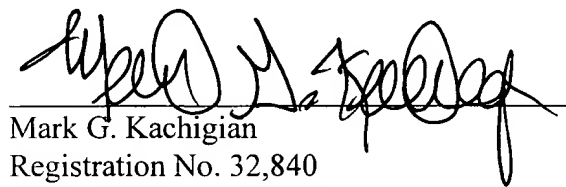
At best, the Press Release arguably discloses a general idea of the Mood product of the Smith et al '647 patent. Nowhere in the Press Release or in the Smith et al '647 patent is disclosed the manner in which the knowledge resources can be incorporated with the Process Model System in a manageable and effective way, as set forth in Applicant's currently amended claims.

Applicant sincerely believes that currently amended independent claims 1 and 6, along with the claims depending therefrom, are novel over the Press Release and, therefore, respectfully request reconsideration of the rejection.

It is believed that the application is now in condition for allowance and such action is earnestly solicited. If any further issues remain, a telephone conference with the Examiner is respectfully requested. If any fees are associated with this action, the Examiner is authorized to credit deposit account No. 08-1500.

HEAD, JOHNSON & KACHIGIAN

Respectfully submitted,



Mark G. Kachigian  
Registration No. 32,840  
Head, Johnson & Kachigian  
228 West 17th Place  
Tulsa, Oklahoma 74119  
(918) 587-2000  
Attorneys for Applicant

Date: 16 April 2008